

## PROCEEDINGS OF THE STURGIS CITY COUNCIL

The Common Council of the City of Sturgis met in study session starting at 4:00 p.m. and regular session starting at 6:40 p.m. on Monday, April 21, 2014 at the Erskine Building. Present: Mayor Mark Carstensen, Alderpersons Jason Anderson, Mike Bachand, Branden Bestgen, David Hersrud, Marcia Johnston, Tim Potts, Kelly Vasknetz, and Ronald Waterland. Also present: City Manager Daniel Ainslie and City Attorney Greg Barnier. Absent: None.

A discussion was held on Title 7 City Government. There were 5 questions sent out to Council on the amendments to Title 7. The first question was on the paragraph dealing with Proprietary information. The Council asked City Attorney Barnier to re-word the last sentence of the paragraph for second reading. The second questions was on how the Council elects the President and Vice President. The Council decide to stay with nominations from the floor. The third question was the selection process for Council member appointments to “outside” Boards. The Council decided that Council would submit their preferences and the City Manager, with input from the Mayor, would appoint to these Boards. The fourth question was the selection process for Council member appointments to additional committees. The Council will do it the same way as on question three. Question five was do they want to maintain the existence of Ordinance, Legal and Finance and Sponsorship committees. The decision was to continue not having these committees and to revisit this issue on September 2, 2014 and see how it is working.

Mayor Mark Carstensen led everyone in the Pledge of Allegiance.

Motion by Waterland, second by Vasknetz and carried with all members present voting yes to approve the agenda.

### Announcements:

- City Wide Rummage Sales – May 3, 2014 “Sturgis Springtacular Deals & City Wide Sale”.
- Spring Cleanup – May 5-9, 2014.
- Mayor Carstensen announced that the City of Sturgis is once again we are recognized as “Tree City USA for 2014.

### City Manager Ainslie reported:

- The budget numbers for the end of March 2014 are as follows: General Fund is at 24.4%; SST 13.2%; Capital Imp 52%; Liquor 14%; Water 20%; Wastewater 16.4%; Sanitation 30% and Ambulance 28.2%.
- The quarterly financial report was given to the Council.

Motion by Hersrud, second by Johnston and carried with all members present voting yes to approve the following items on the consent calendar:

- a. Consider approval of the minutes from the April 7, 2014 regular council meeting.
- b. Consider approval to set a public hearing for May 5, 2014 to approve a Retail on-off sale Wine License for Days End Campground.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve the following claims with the exception of: **General** - Johnston Hardware, \$893.64, supp; **Water** - Johnston Hardware, \$36.91, supp; **Ambulance** - Johnston Hardware, \$38.45, supp;

**Wages** – Ambulance \$23,227.99; Attorney \$2935.10; Buildings \$814.40; Cemetery \$2561.03; City Manager \$4276.82; Community Center \$8662.12; Finance Office \$9077.26; Fire Department \$1859.82; Human Resource \$2208.94; Library \$7009.56; Liquor \$4360.56; Mayor

and Council \$3391.63; Parks \$13,537.82; Planning & Permitting \$3632.88; Police \$39,844.84; Rally \$3389.66; Recreation \$2318.77; Sanitary Service \$13,404.30; Streets \$9533.57; Wastewater \$7999.94; Water \$13,608.99; Federal Withholding \$17,592.45; FICA \$12,911.19.

**General** – A&B Business, \$120.92, repair; Amcon, \$482.71, merch for resale; APWA-BH Branch, \$20.00, prof fee; Assoc Supply Company, \$84.61, repair; Greg Barnier, \$599.40, travel; BH & Badlands Tourism Assn, \$40.00, city promo; BH Chemical, \$814.73, supp; BH Urgent Care, \$357.97, prof fee; Cass Co Heating, \$86.89, repair; CBH Cooperative, \$16,083.47, supp; Chamber of Commerce, \$220.00, other; Coca Cola, \$1204.17, merch for resale; Dakota Backup, \$274.31, prof fee; Diamond Vogel Paints, \$85.32, supp; Double Star Computing, \$2111.65, supp; Easy Riders, \$53.94, other; Ecolab Pest, \$336.42, repair; Fastenal Co, \$252.35, repair; Fence Crafters, \$6120.00, other; First Interstate Bank, \$4179.38, travel, supp; Glover Investment, \$600.00, rental-rally; Great Western Tire, \$139.43, supp; Grocery Mart, \$96.84, other; Ken Grosch, \$30.00, other; Holiday Inn Express, \$1025.92, travel; J&L Services, \$100.00, repair; Marco Inc, \$58.67, repair; Meade Co Auditor, \$3174.70, util; Meade Co Times, \$2042.66, publ; Menards, \$461.89, supp; Midcontinent Communications, \$42.24, util; MDU, \$10,095.15, util; Motionsoft, \$450.00, prof fee; Neve's Uniforms, \$441.50, supp; NFPA International, \$300.00, other; Brad Olson, \$51.18, travel; O'Reilly Auto Parts, \$689.78, supp; Owens Interstate Sales, \$396.98, repair; Sharon Peterson, \$40.00, refund; Petty Cash, \$138.00, supp; Pitney Bowes, \$110.92, supp; Primero Insurance Co, \$120.00, insur; Print Mark-et, \$992.89, publ; Purchase Power, \$400.00, supp; Rapid City Journal, \$49.80, publ; Rapid Fire Protection, \$355.00, repair; Rasmussen Mechanical Services, \$3004.90, repair; Reliable Office Supplies, \$158.40, supp; Rushmore Office, \$487.39, supp; Schwans, \$23.22, merch for resale; SD Dept of Agriculture, \$120.00, travel; SD Dept of Corrections, \$530.40, other; SD Police Chiefs Assn, \$35.00, travel; SD Secretary of State, \$90.00, insur; Shopko, \$123.58, supp; Signs Now, \$91.22, supp; Christina Steele, \$29.92, supp; Stoptech, LTD, \$525.00, supp; Summit Signs, \$40.50, supp; Tom's T's, \$307.20, supp; Town-N-Country Plumbing, \$109.85, repair; Twilight First Aid, \$59.90, supp; West Payment Center, \$121.18, prof fee; Wimactel, \$60.00, util; Wow! Business, \$334.70, util; Ziegler Building Center, \$201.83, supp.

**Capital Improvement** – Hansen Law, \$130.00, bldg.

**Liquor** – Arctic Clacier USA, \$142.45, merch for resale; BH Urgent Care, \$55.00, prof fee; Coca Cola, \$582.80, pop for resale; Double Star Computing, \$19.06, prof fee; Eagle Sales, \$2314.65, off sale beer; Ecolab Pest, \$103.07, repair; First Interstate Bank, \$292.68, repair; MDU, \$288.83, util; Owens Interstate, \$26.33, repair; Pepsi Cola, \$60.00, pop for resale; Print Mark-et, \$66.20, publ; Republic Beverage, \$23,968.42, off sale liquor; Rushmore Office, \$387.07, supp; Schade Vineyard, \$600.00, supp; The Homeslice Group, \$4294.00, prof fee.

**Water** – A&B Business, \$281.80, supp; APWA-BH Branch, \$40.00, prof fee; BH Garage Doors, \$105.00, repair; CBH Cooperative, \$834.77, supp; Credit Collections Bureau, \$45.10, prof fee; Dakota Backup, \$2011.62, prof fee; Double Star Computing, \$2427.06, supp; Ecolab Pest, \$58.30, prof fee; First Interstate Bank, \$80.66, supp; Hach Co, \$155.67, supp; Hawkins, \$1681.98, supp; HD Supply Waterworks, \$2664.61, supp; Hersrud, \$23.66, supp; Lynn's Dakotmart, \$10.67, supp; Meade Co Times, \$539.37, publ; Midcontinent Testing Lab, \$138.00, prof fee; MDU, \$335.95, util; Northwest Pipe Fittings, \$1070.19, supp; Owens Interstate Sales, \$124.30, supp; Petty Cash, \$29.72, supp; Print Mark-et, \$66.20, publ; Rushmore Office, \$707.59, supp; Servall Towel, \$11.95, supp; Shopko, \$50.52, supp; SD One Call, \$15.54, prof fee; Sturgis Napa, \$7.92, supp; Western Mailers, \$193.80, publ; Wow! Business, \$44.99, util.

**Wastewater** – City of Belle Fourche, \$54.52, other; Double Star Computing, \$19.06, prof fee; Flexible Pipe Tool, \$369.85, repair; Owens Interstate, \$19.99, supp; Petty Cash, \$11.00, supp; Print Mark-et, \$66.20, publ.

**Sanitary Service** – Allstate Peterbilt, \$949.33, repair; BH Urgent Care, \$55.00, prof fee; Butler Machinery, \$1801.21, repair; CBH Cooperative, \$13.00, supp; Century Business, \$105.37, prof fee; City of Belle Fourche, \$14,989.64, other; Dakota Radiator, \$180.00, repair; Double Star Computing, \$19.06, prof fee; First Interstate Bank, \$73.73, travel; Great Western Tire, \$85.95,

supp; Owens Interstate, \$635.72, repair; Print Mark-et, \$66.20, publ; Werlinger Auto Body, \$1731.20, repair.

**Ambulance** – Accent, \$250.00, ambul chrgs; BH Urgent Care, \$54.59, prof fee; CBH Cooperative, \$2380.77, supp; Coca Cola, \$31.25, sup; Double Star Computing, \$19.06, prof fee; First Interstate Bank, \$5436.58, supp; Holiday Inn Express, \$168.00, travel; Nellie Isaacs, \$49.10, supp; Johnston Hardware, \$38.45, supp; Andrea Maagen, \$25.00, grp insur; MDU, \$353.03, util; Print Mark-et, \$66.20, publ; Regional Home Medical, \$1873.38, supp; Rushmore Office, \$223.32, supp; Shopko, \$47.94, supp; Trittech Software System, \$420.00, prof fee.

Motion by Potts, second by Bestgen and carried with Carstensen, Anderson, Bachand, Bestgen, Hersrud, Potts, Vasknetz and Waterland voting yes, Johnston abstaining, to approve the following claims: **General** - Johnston Hardware, \$893.64, supp; **Water** - Johnston Hardware, \$36.91, supp; **Ambulance** - Johnston Hardware, \$38.45, supp.

Motion by Johnston, second by Waterland and carried with all members present voting yes to approve the following payroll changes: Water Dept – Seasonal Parks –Charles “Bud” Rank - \$8.50. Parks Dept – Seasonal Parks – Trudi Getz - \$8.25, Jacob Keffeler - \$8.25. Cemetery Dept – Seasonal Parks – Jose “Jessie” Arguello - \$8.75.

Waterland introduced the following written resolution and moved its adoption:

#### **RESOLUTION 2014-23**

#### **RESOLUTION ENDORSING THE RUSHMORE REGION MARKETING CODE OF CONDUCT**

WHEREAS, economic development is essential to the prosperity and growth of the Black Hills and surrounding area; and

WHEREAS, promoting the region to businesses and industries is an identified priority; and

WHEREAS, the economic development professionals in the Black Hills have engaged in the development of a regional marketing plan with the financial support of Black Hills Vision; and

WHEREAS, a key component of the regional marketing plan is the cooperation between the regions many communities.

NOW, THEREFORE, BE IT RESOLVED by the City of Sturgis that the attached Rushmore Region Code of Conduct be adopted.

Dated at Sturgis, Meade County, South Dakota, this 21<sup>st</sup> day of April, 2014.

Published: 04-30-2014

Effective: 05-21-2014

Hersrud seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Motion by Hersrud, second by Potts and carried with all members present voting yes to approve Professional Service Agreement with Sturgis Chamber.

Potts introduced the following written resolution and moved its adoption:

**RESOLUTION 2014-25  
RESOLUTION ON ANNEXATION OF BELLE JOLI PROPERTY**

WHEREAS, Dr. John Jackson has filed a Petition for Annexation with the City of Sturgis; and

WHEREAS, said Petition has been executed by more than  $\frac{3}{4}$  of the registered voters and more than  $\frac{3}{4}$  of the owners of the value of the territory sought to be annexed to the City of Sturgis; and

WHEREAS, said real property set forth in the Petition is contiguous to the City of Sturgis; and

WHEREAS, the Owners and the City of Sturgis have entered into a Development Agreement dated March 3, 2014 pursuant to S.D.C.L. 9-4-1.1.

NOW THEREFORE BE IT RESOLVED, that this Resolution of Annexation shall become effective May 21, 2014 pursuant to S.D.C.L. 9-4-1,

BE IT FURTHER RESOLVED that upon such approval that the following described real property shall be annexed to the City of Sturgis:

Lot 1 of Davenport Ranch Addition, Meade County, South Dakota as shown by the plat filed in Plat Book 23, Page 202.

Dated this 21st day of April, 2014.

Published: 04-30-14

Effective: 05-21-14

Vasknetz seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Johnston introduced the following written resolution and moved its adoption:

**RESOLUTION 2014-24  
A RESOLUTION DECLARING PROPERTY SURPLUS**

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AT & T Cell Phones

1. AT&T Aircard (3)
2. Iphones and Rugby 3 phones from Police Department

Community Center Weight Equipment

1. StairMaster Stepper
2. ST Fitness Recumbent Bike
3. Life-Cycle Upright Bike (2)
4. Schwinn Airdyne Bike
5. NordicTrack Treadmill
6. Punching Bag
7. 36" Sony TV (2)

Ambulance Department

1. 1988 Ford F350 Ambulance (co-owned with Meade County)

Public Works Department

1. 1970 International Loadstar 1700 Truck SN#416070H022692 with High-Ranger Aerial Bucket Model #5TD-45PHI

Parks Department

1. Cushman Turf Truckster MDL #898532-8710 1CUNH2225HL008453
2. 1992 Snapper Mower MDL #Z2002K 25-497799
3. 1976 Ford ½ ton pickup w/utility box F15MLA35663
4. 10 ton Jack Dolly – Hydraulic
5. Misc. Tires – 2qty – 10R/22.5; 3qty – LT235/85R16; 2qty-10-16.5 NHS; 4qty – P265/70R17
6. 1991 Ambulance Box – Road Rescue Emergency vehicles
7. 2 HP Computer towers (disposal)
8. 1 Creative Computer tower (disposal)
9. 1 KIDS computer monitor (disposal)
10. 2 Satellite Handicap portapotties (disposal)
11. STIHL Weedeaters – misc. parts (disposal)

BE IT FURTHER RESOLVED BY THE COMMON COUNCIL OF THE CITY OF STURGIS that the personal property described above is hereby declared surplus and to be disposed of as described by SDCL 23A-37-13 and 23A-37-10. It is being advisable and in the best interest of the City to sell/trade/dispose of such personal property.

Dated this 21st day of April 2014.

Published: 04-30-2014

Effective: 05-21-2014

Waterland seconded the motion for the adoption of the foregoing resolution with all members present voting yes and the resolution was declared passed and adopted.

Bestgen left meeting.

Motion by Johnston, second by Hersrud and carried with all members present voting yes to approve the City Manager to sign a photo release authorizing the use of the Sturgis Motorcycle Rally Main Street photo for the front cover of the Yellowbook directory.

Bestgen returned to meeting.

Motion by Anderson, second by Waterland and carried with all members present voting yes to approve the City Manager to sign a lease agreement with Cellular Inc Network Corp dba Verizon.

Motion by Potts, second by Bestgen and carried with all members present voting yes to approve authorizing the City Manager to sign the Kiwanis Food Pantry Site Lease Contract and the Professional Services Contract with the Kiwanis Food Pantry.

Any other business:

Councilor Waterland reminded the Council that they must look at the drainage issues within the City.

Motion by Johnston, second by Waterland and carried with all members present voting yes to go into executive session for personnel and contracts at 7:58 pm.

Motion by Bachand, second by Bestgen and carried with all members present voting yes to return to regular session at 9:24 pm.

Motion by Johnston, second by Hersrud and carried with all members voting yes to authorize the City Manager to sign the Letter of Intent with the Developer.

Motion by Waterland, second by Potts and carried with all members voting yes to sign the change order for the Davenport water and sewer project.

Motion by Bachand, second by Waterland and carried with Anderson, Bachand, Carstensen, Hersrud, Johnston, Potts, Vasknetz, Waterland voting yes and Bestgen voting no to accept the application for the Vendor on 2<sup>nd</sup> Street.

Motion by Vasknetz, seconded by Johnston and carried with all members present voting yes to adjourn the meeting at 9:26 pm.

ATTEST: \_\_\_\_\_  
Fay Bueno, Finance Officer

APPROVED \_\_\_\_\_  
Mark Carstensen, Mayor

Published once at the total approximate cost of \$